



STATE OF DELAWARE
STATE FIRE PREVENTION COMMISSION
DELAWARE FIRE SERVICE CENTER

(302) 739 – 3160
FAX (302) 739 – 4436

1463 CHESTNUT GROVE ROAD
DOVER, DELAWARE 19904

STATE FIRE PREVENTION COMMISSION

Monthly Meeting

February 21, 2017

MEMBERS PRESENT

David J. Roberts, Chairman
Alan Robinson, Jr., Vice Chairman
Tom DiCristofaro
Ron Marvel
Lynn Truitt - Absent
Marvin C. Sharp
Joseph M. Zeroles - Absent

ALSO PRESENT

Patricia Davis, Deputy Attorney General
Patrick Matthews M.D., BLS Medical Director
Sherry Lambertson, Executive Specialist
David J. Truax, Investigator/Compliance Officer
Grover P. Ingle, State Fire Marshal
Robert P. Newnam, Director, State Fire School

GUESTS

Elizabeth Carey, Admin., SFPC
Lou Amabili, Hockessin Fire Co.
Anthony R. Guzzo, Hockessin Fire Co.
Ted Walius, DVFA
Richard Perillo, Brandywine Hundred Fire Co.
Warren Jones, DVFA
Jason Capps, 2nd VP DSEMS
Allan Post, President, KCVFA
Jennifer A. Knox, DSEMSA Past President
Elmer Steele, DVFA
W. Mike McMichael, DSEMSA

Guest's cont.

Tyler Sipple, SFMO
Shawn Hinton, SFMO
Anthony Spizio, DTI
Bill Betts, DVFA

CALL TO ORDER

Chairman Roberts called the meeting to order at 9:00 a.m.

PLEDGE OF ALLEGIANCE

APPROVAL OF JANUARY 17, 2017 COMMISSION MEETING MINUTES

It was moved by Commissioner Dicristofaro, and seconded by Commissioner Sharp that the minutes of the January 17, 2017 Commission meeting be approved. Motion carried by unanimous vote.

REPORT OF THE STATE FIRE MARSHAL

INFORMATIONAL ITEMS

Personnel Items

Fire Marshal Ingle introduced Shawn Hinton as the newly hired Deputy Fire Marshal I for Kent County. Mr. Hinton comes from the Carlisle Fire Company and began working on February 6, 2017. He has been accepted and will begin the State Police Academy on March 13, 2017.

Tyler Sipple was introduced as the newly hired Deputy Fire Marshal I for New Castle County. Mr. Sipple comes from Felton Fire Company and is a graduate of the University of Delaware with a Bachelor's Degree. He is currently being trained in Kent County and has been accepted to the State Police Academy beginning March 13, 2017.

Fire Marshal Ingle updated commissioners on the vacant Deputy Fire Marshal I position in New Castle County. A temporary conditional offer has been made. Once all of the testing has been completed and results received by the Fire Marshal, a conditional offer will be made at that time. It is intended to have this completed prior to March 13, 2017.

Interviews for the vacant Office Manager position in New Castle County will take place on March 1st and 2nd.

Personnel Items

Susan Givens, Office Manager in the Georgetown office returned to work from medical leave on February 23rd.

Renee Hayes, Fire Protection Specialist II is on medical leave and expected to return to work approximately March 6th.

Fire Fatalities

Fire Marshal Ingle updated the Commission on the first fire fatality of 2017 that occurred on Saturday, January 14, 2017. The Medical Examiner has ruled it as a fire fatality as a result of smoke inhalation and thermal injuries. The cause of fire remains under investigation. There were working smoke alarms in the structure, but further investigation shows that the second floor smoke alarm had a battery installed backwards which caused the alarm to not work.

DTI Update

Fire Marshal Ingle reported that they continue working towards updating agency programs. DTI appears to be on schedule and the second phase should begin in March.

Meeting with New Castle County Land Use & Plumber's Board Regarding Residential Sprinklers

Fire Marshal Ingle was scheduled to meet with New Castle County Land Use and the Plumber's Board regarding Plumber's being allowed to install residential sprinklers. That meeting was cancelled and will be rescheduled at a later date. The Fire Marshal did meet with the DVFA Committee and DE Sprinkler Coalition on this issue and options were discussed.

Sussex County Roadway Ordinance

At the January meeting of the Sussex County Fire Chiefs, the Engineer from Sussex County gave a presentation. The presentation was on the County updating an ordinance pertaining to water runoff, drainage, etc. There was some discussion about roadway widths. Fire Marshal Ingle suggested that the engineer speak with fire chiefs in the County. A committee has been formed to do so. Public roads use DELDOT standards, but private roads have different standards. Two members of the Office of State Fire Marshal are on the committee. Fire Marshal Ingle reiterated that the Office of State Fire Marshal does not enforce roadway widths and do not have the authority to do so.

Joint Finance Hearing

The agencies Joint Finance Hearing is scheduled for February 22, 2016. The agency is prepared to answer any questions that may arise from the committee.

DFIRS Incidents Received

TOTAL STATE PARTICIPATION IN COMPLIANCE
87 %

DELINQUENT DEPARTMENTS

New Castle County	
Cranston Heights	September - December
Volunteer Hose	December
Belvedere	November - December
Kent County	
Cheswold	November – December
Robbins Hose	October – December
Little Creek	May – December
Sussex County	
Ellendale	September – December
Laurel	November - Decenber

OVERDUE REPORTS BY DAYS

30 Days	60 Days	90 Days	90+ Days
3	2	3	1

Source: DFIRS Incidents received as of 2/03/17.

REPORT OF THE STATE FIRE SCHOOL DIRECTOR

Director

- Officer’s Seminar – 58 attendees from 22 companies (48-22)
- Instructor workshops conducted – Fire Officer, EMS and Instructor Aides
- Budget Hearing JFC scheduled for February 22th
 - OMB – FY17 – 18 Budget discussion 02/15/17
- Bond Bill Hearing scheduled for March 1st. Director Newnam will request funding that was not in the Governor’s Recommended Budget.

Director cont.

- Status of EMT re-certification – due March 31, 2017.
 - 607 (557) EMT's eligible for re-certification (as of 02-10-17)
 - First notification mailed January.
 - Second notification, has been emailed.
- Grant in Aid Bill – Requirement - Financial Reporting reminder has been sent to Companies by Fire School.
- Provided recommendations for Internal Control Best Practices course to legislative committee.

Staff Activities

- DAPPS – School tour – Staff and DSFS Instructors
- Attend SCBA Maintenance Service Training was attended at the SCOTT factory in Monroe N.C. by Eddie Baker and Tom Faison
- DVFA – Poster/Essay Awards was attended at Station 43 by Senior Instructor Lowe.
- SERT Response – Mountaire Farms attended in Selbyville by Senior Instructor Dempsey.
- SCBA training was attended by DSFS Staff on February 15, 2017.

Programs/Courses

Figures in red are reference to last year's comparison of class attendance.

- Current Month
 - NFA Leadership II – 8 students (16)
 - EVO NCD, 27 students
 - High Rise Seminar – 27 students (10)
 - NFA – Shaping the Future – Sussex Paramedics
 - Fire Recruit Academy Course – NCD, 14 students - SCD, 4 students
 - NCD – 5 students, SCD 2 students have BFFS,SFFS,HMRS
 - MOI – 20 students completed the class – met with Staff to begin process to Instruct
- Additions – Revisions
 - Update to lesson plans SCOTT SCBA from MSA information
 - Revised the EMT Refresher – delivery, not content

EMS

- Current Month
 - CEU programs – 7 programs scheduled (20)
 - EMT Refreshers – NCD, 20 students – KCD, 31 students – SCD, 35 students
 - EMT Refresher – weekday KCD 35 students
 - EMT Refresher – weekend KCD 24 students

Director Newnam stated that the Refresher course has been attended with mixed reviews. Some things the Fire School needs to work on and some things, the students need to understand they are now at a National Standard which will require training that they may not be happy about. Adjustments will be made as needed.

Public Education and Injury Prevention - Activity Report

- Current Month
 - Fire Safety Programs – 8 scheduled (6)
 - Fire Safety Displays - 5 scheduled (6)
 - Injury Prevention Programs – 2 scheduled
 - Fire Safety Seminar – 14 scheduled

Maintenance – Building and Grounds

- Scott SCBA received – staff inventorying and placing in-service
- Painted small tools
- Built Fire Extinguisher display cart
- Installed mock Electric Meter – Sussex structural building

Financial

- Past Due Billings
 - 30 days – 277.00
 - 60 days – 16,593.00
 - 90 days – 1,265.00
- 20678 Tuition Fund – 846,672.00
- Accounts receivable – 82,363.00
- Revenue Comparison
 - Tuition – 2017 – 166,424.50, 2016 – 64,443.00
- Special Funds Summary – The Special Funds Summary report was submitted to the Commissioners for review.

Financial cont.

- Expenditure Report – The Expenditure report was submitted to the Commissioners for review.

Staff and Office Staff Meeting Minutes

Staff and office staff meeting minutes were submitted for Commission review.

REPORT OF BLS MEDICAL DIRECTOR

BLS albuterol pilot program: A second abstract regarding the success of the DE albuterol pilot program was presented in New Orleans at the National Association of EMS Physicians Conference. Dr. Matthews stated that it was very well received.

The Delaware Emergency Medical Services Response to Medical Aid Units and Physician Offices was distributed for review. It is hoped this will universalize to some degree transports and practice patterns.

EPI Pens – There are now alternative's to the EPI Pen auto injectors that are more affordable.

The flu is widespread in Delaware. Delaware has over 900 confirmed cases. Agencies should follow their infectious disease policies and get a flu shot if they have not already done so.

Opiate Epidemic Update – 2016 had a total of 308 Fatalities Statewide – 2015 had a total of 228 Fatalities Statewide.

REPORT OF THE INVESTIGATOR/COMPLIANCE OFFICER

11 Annual Ambulance Unit Inspections

0 New Unit Inspections

11 Complaints Received

3 Arrest Notifications were received.

0 Self Report

7 2016 Open Cases

4 2017 Open Cases

REPORT OF THE INVESTIGATOR/COMPLIANCE OFFICER cont.

Request Closure on Case No. 1610. This was a patient care concern. Dr. Matthews reviewed the investigatory finding and found although they did not act in an appropriate manner that an educational review would be substantial enough. The training has been made part of the record. Dr. Matthews and the Deputy Attorney General agree that the case should be closed. It was moved by Commissioner Dicristofaro, seconded by Commission Marvel to close case No. 1610 per the Investigators recommendation. Motion carried by a unanimous vote.

Mr. Truax reviewed an Emergency EMT Suspension formally made by the Office of Emergency Medical Services for 30 days. Case No. 1618 was brought before the Commission to determine if an additional 30 day suspension is necessary by the Commission. The initial OEMS suspension was make on January 3, 2017. An additional suspension by the Commission will leave the EMT suspended until March 3, 2017.

REGULAR SESSION

ACTION ITEMS

American Legion Ambulance 64 – Audit Extension Request

A hearing was scheduled for American Legion Ambulance 64 at 9:30 a.m. A proper notice was sent by Certified Mail from the Fire Prevention Commission. The hearing proceeded without American Legion present. There audit was due to the Commission office by January 15, 2017 and has not been received to date without an extension request. By letter on January 19, 2017 the American Legion was notified that they had until January 23, 2017 to submit their audit or the company would have to report here today to give cause as to why should not be penalized for failing to comply with Commission statute and regulations regarding audit reporting. On January 24, 2017 the Commission received an email requesting an extension from American Legion, but not the audit.

It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Robinson to impose a fine of \$100 per day, beginning February 21, 2017 and continuing to accrue until the audit report is received by the Commission. Motion carried by a roll call vote.

Commissioner Dicristofaro - Yes
Commissioner Marvel - Yes
Commissioner Sharp - Yes
Vice Chairman Robinson - Yes
Chairman Roberts - Yes

Mid Sussex Rescue Squad – Audit Extension Request

By letter on January 19, 2017 the Mid Sussex Rescue Squad was notified that they had until January 23, 2017 to submit their audit or the company would have to report here today to give cause as to why should not be penalized for failing to comply with Commission statute and regulations regarding audit reporting. It was moved by Commissioner Dicristofaro, seconded by Vice Chairman Robinson to impose a fine of \$100 per day, beginning February 21, 2017 and continuing to accrue until the audit report is received by the Commission. Motion carried by a roll call vote.

Commissioner Dicristofaro - Yes
Commissioner Marvel - Yes
Commissioner Sharp - Yes
Vice Chairman Robinson - Yes
Chairman Roberts - Yes

New Castle County Transport Units

New Castle County has taken the position that although 16 Del. C. §6709(a) cites anyone transporting patients must receive a certification from the Fire Prevention Commission, 16 Del. C. §6717(f) indicates there is no regulation of paramedic services. The County feels that they fall within that exemption because they are not engaging in Basic Life Support for ambulance services. They are providing only paramedic services with their ambulances and therefore they are exempt from Fire Prevention regulations. They also stated that on the rare occasion, they will transport patients, but that also falls within the exemption, citing 16 Del. C. §6713(2), any vehicle can be used to transport a patient in an emergency when the certified vehicles in the locality are insufficient to render the services required. Commissioner Dicristofaro stated that new units have been ordered and they will have a total of thirteen units on the streets. He finds it hard to believe they are going to fall back on the language that they will rarely transport patients. If the vehicles are used as loaner vehicles in the fire companies and used as BLS Provider units, they will have to be inspected and certified.

Case No. 1615 – EMT Hearing

A hearing was held concerning a disciplinary complaint against Charlie B. Aiken. The complaint alleged that Mr. Aiken violated the provisions of 16 Del. C. §6712 and Part 710 of the Commission Regulations. Live testimony was given by Mr. Aiken and Investigator Truax. The nature of Mr. Aiken's criminal conviction requires a term of state-supervised criminal probation. Therefore, it was moved by Commissioner Marvel, seconded by Commissioner Dicristofaro that Mr. Aiken's EMT certification will be placed on probation, to run concurrently with his criminal probation. Mr. Aiken's EMT probation will be lifted when Mr. Aiken has demonstrated to the satisfaction of the Commission that he has successfully completed the terms of his criminal probation. Motion carried by a roll call vote.

Commissioner Dicristofaro - Yes
Commissioner Marvel - Yes
Commissioner Sharp - Yes
Vice Chairman Robinson- Yes
Chairman Roberts - Yes

Case #1618 – EMT Temporary Suspension – Court Documents

Deputy Attorney General Davis reviewed the temporary suspension status of Case #1618 with Commissioners. On behalf of the State, Deputy Attorney General Plerhoples requested that the Commission issue an order temporarily suspending the Respondent's license pending a final hearing on the complaint.

Case #1618 – EMT Temporary Suspension – Court Documents cont.

After some discussion, it was moved by Commissioner Dicristofaro, seconded by Commissioner Marvel to suspend the EMT certification of Addison Hill-Bittner until the resolution of the State's complaint against Mr. Hill-Bittner filed with the Commission. Motion carried by a roll call vote.

Commissioner Dicristofaro - Yes
Commissioner Marvel - Yes
Commissioner Sharp - Yes
Vice Chairman Robinson- Yes
Chairman Roberts - Yes

NEW BUSINESS

No report at this time.

REGULAR BUSINESS

No report at this time.

GENERAL INFORMATION

No report at this time.

CORRESPONDENCE

No report at this time.

MISCELLANEOUS INFORMATION

Audit Committee Correspondence

The Commission discussed correspondence from Ms. Lambertson with regard to CPA Firms, delinquent audit submissions and responsibilities of the fire companies.

GUESTS

Alan Post

Alan Post requested to address the Commission. He stated that since his forced resignation of December 1, 2016, Assistant Director Gosch has known where all of the important papers are kept. He was shocked by the comments made with regard to him by the American Legion 64 in Smyrna.

He also wanted to share that the Fire Prevention Awards, Vice Chairman Robinson and Mike Lowe, Senior Instructor did a fantastic job. The three County Presidents were very impressed and loved the special award given for a child that is blind. It brought a lot of people to tears and was a well put together program.

REPORT OF THE COMMISSIONERS

Vice Chairman Alan Robinson

Vice Chairman Robinson reported that he attended the Monthly Fire Prevention Commission Meeting, Citizens Hose Company Meeting and Citizens Hose Fire Company Board of Directors' Meeting.

Commissioner Ron Marvel

Commissioner Marvel reported that he attended the Monthly Fire Prevention Commission Meeting, Sussex Fire Chief's Meeting, Rehoboth Beach Banquet, Callboard Meeting, Seaford Fire Company Meetings, Legislative Task Force Meetings, Fire Safety Awards in Cheswold, Kent County Fireman's Association Meeting and CFSI Meeting.

DATE OF NEXT MEETING

March 21, 2017 – 9:00 AM
Commission Chamber
Delaware Fire Service Center
1463 Chestnut Grove Road
Dover, DE 19904
SFPC Minutes
February 21, 2017
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ADJOURNMENT

It was moved by Commissioner Dicristofaro, and seconded by Vice Chairman Robinson that the meeting be adjourned. Motion carried by a unanimous vote. The meeting was adjourned at 11:18 a.m.

Respectfully submitted,

Sherry R. Lambertson

Sherry R. Lambertson
Executive Specialist

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